

**To:** Hathaway, Ed[Hathaway.Ed@epa.gov]  
**From:** Mahmud, Shahid  
**Sent:** Mon 8/10/2015 7:58:46 PM  
**Subject:** Re: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Thanks Ed!

I will provide the GAO and OIG references. Unfortunately, the EIS reviews won't really stop these types of problems as they are so early in the process. We really are not involved with many inspections (Bevill Exemption) and the only permitting is for NPDES and Stormwater discharges. The 108(b) Rule, if implemented, would give us funds to respond to releases in the future. Thanks again for all your help Ed!

Shahid Mahmud  
Team Leader  
EPA Abandoned Mine Lands Team  
703-603-8789

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**From:** Hathaway, Ed  
**Sent:** Monday, August 10, 2015 3:44 PM  
**To:** Mahmud, Shahid  
**Subject:** RE: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Did you need any feedback from me?

You could also reference the IG and GOA reports that also had information about mining sites, if you feel they are appropriate. Also, EPA is actively working to reduce the problems associated with active and future mines through ongoing inspections, permitting, and EIS reviews. The 108B process seeks to hold mining companies accounting for proper closure and cleanup.

**From:** Mahmud, Shahid  
**Sent:** Monday, August 10, 2015 3:36 PM  
**To:** Adams, Bill; Biggs, Kirby; Carr, Lofton; Casanova, Rafael; Doolan, Mark; Gunter, Jason; Hanley, Jim; Hathaway, Ed; Hillenbrand, John; Hoogerheide, Roger; Jackson, Brad; Jenkins, Joy; Mahmud, Shahid; Mahoney, Michael; Marcy, Ken; Moreen, Ed; Price, Lisa; Progers, Christina; Purcell, Mark; Riley, Gary; Root, Charlie; Sparks, Sara; Teichert, Candice; Tomten, Dave; Adams, Bill; Autrey, Brad; Aycock, Jim; Baumgarten, Gary; Bless, Diana; Butler, Barbara; Carr, Lofton; Chadwick, Dan; Cherepy, Andrea; Conway, Bette; Cozza, Daniel; Cruz, Francisco; Desai, Sheila; Deschambault, Lynda; Devito, Steve; DiCosmo, Nefertiti; Dixon, Douglas; Doolan, Mark; Forren, John; Forrest, Sabrina; Geselbracht, Jeanne; Godsey, Cindi; Goodrick,

John; Grandinetti, Cami; Hanley, Jim; Hardy, Michael; Hathaway, Ed; Hillenbrand, John; Hood, Lynne; Housman, Van; Hudiburgh, Gary; Jackson, Brad; Jenkins, Joy; Jessop, Carter; Byrne, Jim; Johnson, Brent; Long, Larry; Lavaty, Ann; Lazorchak, Jim; Lensink, Andy; Lesser, Ben; Ellis, Lisa; Low, Seth; Mahmud, Shahid; Mahoney, Michele; Manoyan, Simon; Marcy, Ken; Mayer, Kevin; Miller, Anna; Egidi, Philip; Progeess, Christina; Purcell, Mark; Riley, Gary; Root, Charlie; Roy, Stephen; Russell, Carol; Teichert, Candice; Teitelbaum, Daniel; Tiago, Joseph; Tomten, Dave; Watt, Jamey; Wilkening, Matt

**Subject:** Fw: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)  
**Importance:** High

This is FYI. Please see draft response that will be sent to the OSWER outreach office to forward to reporter. I am sure this is just a start on the inquiries we will be getting over the next few days/weeks. Thanks everyone for your help.

Shahid Mahmud  
Team Leader  
EPA Abandoned Mine Lands Team  
703-603-8789

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**From:** Dreyfus, Melissa G.  
**Sent:** Monday, August 10, 2015 2:50 PM  
**To:** Mahmud, Shahid; Wells, Suzanne  
**Cc:** Gartner, Lois  
**Subject:** RE: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Is everyone ok for me to send this response to OSWER Comms and OPA with cc: to Jeremy Ames?

EPA routinely monitors hardrock mine sites that are listed on the National Priorities List (NPL). However, EPA does not maintain records of the number of mines or tailings dams in the US. Tailings Dam safety falls under the jurisdiction of State Dam Safety Agencies, and the Federal Land Management Agencies have jurisdiction for monitoring the sites on federal lands. EPA does not have an active mine discovery program, but responds to incidents that are brought to our attention. In August 1994, the EPA report entitled " Technical Report: Design and Evaluation of Tailings Dams" noted that "EPA estimates that there may be several thousand tailings impoundments associated with active non-coal mining, and tens of thousands of inactive or abandoned impoundments."

**Melissa Greer Dreyfus**

**Environmental Health Scientist**

**Community Involvement and Program Initiatives Branch**

**Office of Superfund Remediation and Technology Innovation**

**U.S. Environmental Protection Agency**

**Phone: 703-603-8792**

**email: [dreyfus.melissa@epa.gov](mailto:dreyfus.melissa@epa.gov)**

**From:** Mahmud, Shahid

**Sent:** Monday, August 10, 2015 2:45 PM

**To:** Dreyfus, Melissa G.; Wells, Suzanne

**Cc:** Gartner, Lois

**Subject:** Re: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Melissa,

You are correct in that EPA routinely monitors hardrock mine sites that are listed on the NPL. I am not sure to the extent of our involvement at non-NPL sites.

Shahid Mahmud  
Team Leader  
EPA Abandoned Mine Lands Team  
703-603-8789

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**From:** Dreyfus, Melissa G.

**Sent:** Monday, August 10, 2015 2:41 PM

**To:** Mahmud, Shahid; Wells, Suzanne

**Cc:** Gartner, Lois

**Subject:** RE: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Thank you, Shahid!

Lois and Suzanne,

I haven't send an email to Jeremy in ORCR yet. Do you think that is still necessary? If not, I propose we send the following as our response and I can cc: Jeremy. Does the response go to just Nancy or to George and Julia too? Shahid, does this look ok to you? Do we want to say anything about EPA monitoring abandoned mines with regards to those listed on the NPL?

Thanks!

EPA does not maintain records of the number of mines or tailings dams in the US.

Tailings Dam safety falls under the jurisdiction of State Dam Safety Agencies and the Federal Land Management Agencies have jurisdiction for monitoring the sites on federal lands. EPA does not have an active mine discovery program, but responds to incidents that are brought to our attention. In August 1994, the EPA report entitled " Technical Report: Design and Evaluation of Tailings Dams" noted that "EPA estimates that there may be several thousand tailings impoundments associated with active non-coal mining, and tens of thousands of inactive or abandoned impoundments."

**Melissa Greer Dreyfus**

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**email:** [dreyfus.melissa@epa.gov](mailto:dreyfus.melissa@epa.gov)

**From:** Mahmud, Shahid  
**Sent:** Monday, August 10, 2015 2:34 PM  
**To:** Dreyfus, Melissa G.; Wells, Suzanne  
**Cc:** Gartner, Lois  
**Subject:** Re: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Melissa,

The reporter seems to have his wires crossed as the incident in Region 8 had to do with mine workings blowing out from behind a plugged adit and not a tailings dam blowout. As you know, EPA does not maintain records of the number of mines or tailings dams in the US. Tailings Dam safety falls under the jurisdiction of State Dam Safety Agencies and the Federal Land Management Agencies have to monitor the sites on federal lands. EPA does not have an active discovery program and we respond to incidents that are brought to our attention. In August 1994, EPA did a report entitled "Technical Report: Design and Evaluation of Tailings Dams" which noted that "EPA estimates that there may be several thousand tailings impoundments associated with active non-coal mining, and tens of thousands of inactive or abandoned impoundments." Hope this is helpful. Thanks!

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**From:** Dreyfus, Melissa G.  
**Sent:** Monday, August 10, 2015 12:52 PM  
**To:** Wells, Suzanne  
**Cc:** Gartner, Lois; Mahmud, Shahid  
**Subject:** RE: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Thanks, Suzanne. Shahid, if you don't know the answer to the questions regarding mines holding contaminated water, perhaps we can point to which agency holds this authority? The second question seems to pertain specifically to abandoned mines: **Are abandoned mines, like Gold King, monitored?** Would this response entail some wording on five year reviews?

**Melissa Greer Dreyfus**

**Environmental Health Scientist**

**Community Involvement and Program Initiatives Branch**

**Office of Superfund Remediation and Technology Innovation**

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**From:** Wells, Suzanne

**Sent:** Monday, August 10, 2015 12:45 PM

**To:** Dreyfus, Melissa G.

**Cc:** Gartner, Lois; Mahmud, Shahid

**Subject:** RE: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Melissa,

I've cc:ed Shahid so he can see this inquiry. I don't know if Shahid knows the answer to this reporter's questions. There might be someone in RCRA or possibly one of the land management agencies who knows the answer.

Suzanne Wells

Chief, Community Involvement and Program Initiatives Branch

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(703) 603-8863

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**From:** Dreyfus, Melissa G.  
**Sent:** Monday, August 10, 2015 12:42 PM  
**To:** Wells, Suzanne  
**Cc:** Gartner, Lois  
**Subject:** FW: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Suzanne,

I forwarded this request to Shahid, but should it also go to OEM?

**Melissa Greer Dreyfus**

**Environmental Health Scientist**

**Community Involvement and Program Initiatives Branch**

**Office of Superfund Remediation and Technology Innovation**

**U.S. Environmental Protection Agency**

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**email: [dreyfus.melissa@epa.gov](mailto:dreyfus.melissa@epa.gov)**

**From:** Cohen, Nancy  
**Sent:** Monday, August 10, 2015 12:09 PM  
**To:** Dreyfus, Melissa G.  
**Cc:** Wells, Suzanne; Gartner, Lois

**Subject:** FW: OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill (Deadline: TODAY)

Melissa: I want to follow the correct process on press inquiries related to the Aminos River spill but don't want to lose time either. So here's an inquiry we received from OPA. We may also get it via the EOC.

Thanks, nancy

Nancy Cohen

U.S. EPA OSWER

202.566.0171

**From:** Daguiard, Robert

**Sent:** Monday, August 10, 2015 11:31 AM

**To:** Smith, Paula; Faulk, Libby; McClain-Vanderpool, Lisa; Mylott, Richard; Cohen, Nancy

**Subject:** OSWER, R8 Action; Guardian; DDL COB; Aminos River Spill

All, I've sent this inquiry to Region 8 already, but it looks as though OSWER might want to take a look at the first two questions. Please let me know.

If we could get a response by COB Today, the reporter could run the story in tomorrow's paper. Please advise. Thanks, R.

**From:** Karl Mathiesen

**Sent:** Monday, August 10, 2015 7:45 AM

**To:** Daguiard, Robert

**Subject:** Guardian media enquiry

Hi Robert,



I'm a journalist with the Guardian writing a piece on the release from the Gold King Mine in Colorado.

I have a few questions on the background of the situation. Please do your best to answer them all.

On the general state of tailings dams and mines. How many such storage facilities are there across the country? How does the EPA monitor the maintenance and condition of mines and dams that are holding contaminated water? Are abandoned mines, like Gold King, monitored?

It has been reported that the EPA has been trying to designate the area as a superfund area for some time. When was the idea first floated? Why was it unsuccessful? Does the EPA believe the spill would have occurred regardless of the lack of superfund designation? Would that have changed the way the clean up was undertaken (ie would there have been more money available and therefore less likelihood of a failure?)?

Best,

Karl

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Karl Mathiesen

London